

First, the examiner asserts that Hou discloses a "digital camera." This is incorrect. Hou discloses a "portable computing device" such as a PDA that includes an "integrated scanning device." (claim 1; specification, paragraphs [0019] and [0021]). Though a scanner is similar to a digital camera in that both devices convert optical images to digital images, a scanner differs from a digital camera in at least one important respect: A scanner requires that an object such as a page of text be in close proximity to or in direct contact with a wand (linear scanner) or scanning bed (array scanner). A digital camera, on the other hand, includes a lens system that is adapted to focus on objects from some minimum distance to infinity. Therefore, a digital camera is far less limited in its applications and manner of use than a scanner. In particular, a digital camera may be aimed in virtually any direction and may photograph a page of text from a distance of several inches to several feet. A scanner is not designed to capture digital images in that fashion. All the claims in the instant application are directed to a "digital camera" or to "a method for initiating data capture in a digital camera." The "integrated scanning device" disclosed in Hou is not equivalent in structure or capabilities to a general-purpose digital camera as described and claimed in the instant application (see, e.g., paragraph 1 of the Detailed Description). Even if Hou did disclose a digital camera, however, the requirements for anticipation are still not met.

Secondly, the examiner asserts that Hou discloses "a device for acquiring a text pattern to be searched within the text file," as recited in claim 18 of the instant application. This element is taught neither expressly nor inherently in Hou. In paragraph [0030], Hou does disclose "a user interface 316 (i.e., keypad/keyboard and a pointing device)." Such a user interface would inherently be capable of acquiring a text pattern *per se* (i.e., receiving text strings from a user). The mention of "keypad/keyboard" certainly implies this. However, Hou does not characterize user interface 316 as a device capable of acquiring a text pattern to be *searched* within a text file created from a digital image by OCR ("OCRed text"), as recited in claim 18. Such a capability, while certainly imaginable, is far from inherent in user interface 316 as described. (The sum total of everything said about user interface 316 in Hou is in the above-quoted phrase.) In summary, Hou does not disclose "a device for acquiring a text pattern to be *searched* within the text file," as recited in claim 18. (emphasis added).

The examiner also asserts that, based on claim 9 and paragraph [0030] of Hou, a search for a particular text pattern is inherent in the displaying of OCRed text on display screen 116. The examiner bases this assertion on the following clause in claim 9 of Hou: "the texts can be displayed on the display screen when requested." The conclusion the examiner draws from this language is incorrect because it presumes too much and is unsupported by Hou when taken as a whole. What Hou does disclose is that OCRed text may "optionally" be displayed on display screen 116 (see, e.g., paragraph [0029], first sentence). The clause quoted above from claim 9 is merely consistent with statements in the specification such as that in paragraph [0029] (i.e., that OCRed text *may* be displayed when a user requests it). Nothing is said in Hou about that request being fulfilled in the form of a "search" for a particular text pattern, nor is such a search inherent because there are other ways in which a user may request that OCRed text be displayed in the context of Hou. To cite just one example, a user may select, using a pointing device (316), an icon or other object on display screen 116 that represents a contact entry containing an OCRed name and phone number obtained previously from a scanned business card (see, e.g., the last sentence of paragraph [0023] in Hou). Selecting an icon to display associated OCRed text does not require searching for a particular text pattern within the OCRed text. In fact, the word "search" does not appear anywhere in Hou. Therefore, searching for a particular text pattern within the OCRed text is not inherent in optionally displaying it, as disclosed in Hou.

Hou does disclose *parsing* the OCRed text, but parsing and searching for a particular text pattern are quite different. In Hou, parsing is part of "template matching" (paragraph [0029]). Parsing involves classifying portions of the OCRed text as names, phone numbers, fingerprints, or other graphical images such as company logos (paragraph [0023]). Determining that "John Doe" is a person's name and storing "John" and "Doe" in the first and last name fields, respectively, of a contact record as disclosed in Hou is distinctly different from *searching* the OCRed text for the particular text pattern "John Doe." The former requires no *a priori* knowledge of the text pattern "John Doe"; the latter depends entirely upon such *a priori* knowledge.

Finally, the examiner asserts that Hou inherently discloses "a controller for determining when the text pattern is recognized," as recited in claim 18 of the instant application. This element is not inherently disclosed in Hou because it has just been shown

above that Hou does not disclose *searching* the OCRed text for *a particular text pattern*. Since Hou discloses parsing the OCRed text but not searching it, a controller that determines when a particular text pattern has been recognized cannot be inherent in Hou.

For the above reasons, the applicant believes claim 18 to be allowable in its present form. Since claims 19 and 20 both depend from allowable claim 18, they are also allowable. Claim 21 is also believed to be allowable for the same reasons. Since claims 22-24 depend from allowable claim 21, they are also allowable.

Regarding the rejection of claim 19 under 35 U.S.C. § 103(a), this rejection depends in part upon all the limitations of claim 19 being disclosed in Hou and Laitinen. (MPEP § 2143). It has been shown above that Hou does not disclose a "digital camera," "a device for acquiring a text pattern to be searched within the text file," or "a controller for determining when the text pattern is recognized," as recited in claim 18 (from which claim 19 depends). Since these limitations are also not found in Laitinen, the requirements for a *prima facie* case of obviousness have not been satisfied. Therefore, the applicant believes claim 19 to be allowable.

This application is considered to be in condition for allowance, and reconsideration of the application is requested.

Respectfully submitted,

By Thomas M. Croft  
Thomas M. Croft  
Reg. Number 44,051

October 12, 2004  
Fort Collins, CO 80528  
(970) 898-4218